REMARKS

Status of the Claims

- Claims 1-6 are pending in the Application after entry of this amendment.
- Claims 1-4 are rejected by Examiner.
- Claims 1-4 are amended by Applicant.
- Claims 5 and 6 are newly added by Applicant.

Response to Non-Compliant Amendment

A notice of non-compliant amendment was issued on July 3, 2007 resulting from an amendment dated April 18, 2007. In response, Applicant amends Claim 1 to retain the "or" coupling between the receiver side terminal element and the order receiver side terminal element. Applicant amends Claim 2 to include double brackets to indicate deletion of punctuation. In other respects, the amendment submitted on April 18, 2007 is re-presented herein. Applicant respectfully requests reconsideration of the April 18, 2007 amendment in light of the present response.

Claim Rejections Pursuant to 35 U.S.C. §112

Claims 1-4 stand rejected pursuant to 35 U.S.C. §112, second paragraph for being indefinite.

The Office Action dated 1/18/2007 indicates that Claim 1 is rejected for insufficient antecedent basis in the term "the order reception information". Claims 1-3 are considered indefinite for use of the phrase "such as". Claims 3-4 have insufficient antecedent basis for the term "the information". And Claim 2 is rendered unclear when the method-like term "reading the delivery source information" is used in a system claim.

Applicant amends Claim 1 to delete "the" from "the order information" to overcome the antecedent basis rejection. Claims 1-3 are amended to eliminate the use of the term "such as" and to affirmatively claim the indicated function. Amendments to Claim 3-4 delete "the" from the term "the information" to overcome the antecedent basis rejection. Claim 2 is amended to remove the method-like term "reading" and actively recite the indicated function.

Elsewhere in Claims 1-4, Applicant amends the claims to actively recite the functionality of the elements of the Claim 1 system.

Applicant respectfully requests withdrawal of the 35 U.S.C. §112 rejection of Claims 1-4 because the amendments more clearly define the claimed subject matter.

Claim Rejections Pursuant to 35 U.S.C. §101

Claim 2 stands rejected pursuant to 35 U.S.C. §101 because the claim attempts to overlap two statutory classes.

As indicated above, Claim 2 is amended to remove the method-like terminology and actively claim the functionality of the elements of Claim 2. The result of the amendment is that Claim 2, like independent claim 1, is directed to a system, which may be considered a machine for purposes of 35 U.S.C. §101.

Applicant respectfully requests withdrawal of the 35 U.S.C. §101 rejection of Claim 2 based on the above-mentioned amendment.

Claim Rejections Pursuant to 35 U.S.C. §102

Claims 1-2 stand rejected pursuant to 35 U.S.C. §103(e) as being anticipated by U.S. Patent No. 6,463,420 to Guidice et al. (Guidice).

Guidance teaches online tracking of delivery status information over a computer network. Guidance teaches:

"A method and system for tracking, over a computer network, orders placed with a supplier and shipped by any of a variety of different carriers, the tracking taking place entirely within the confines of the supplier's web site. By providing for electronic communication of delivery status information between a variety of different carriers and the supplier's server, the supplier is able to provide online tracking information to a customer regardless of the individual manner of delivery." (Guidice, Abstract)

Applicant amends independent Claim 1 to include an order receiver shipping the commodity before confirming payment with the receiver side terminal. Applicant finds support for this amendment on page 23 of the as-filed specification as follows:

"Thus, if an order-received commodity is shipped by an order receiver after confirming that the order-received commodity is already paid on the receiver side terminal

50, unpaid amount can be prevented. Therefore, the order receiver can ship the commodity safely before confirming payment. This contributes to shortening the delivery time." (Specification, Paragraph on page 23)

In the as-filed specification on pages 12-13, the order receiver side terminal 50 (see Figure 1) is a terminal used by a manufacturer or the like who receives the order of the commodity. As described on page 11 of the as-filed specification, a receiver side terminal 20 (See Figure 1) is a terminal used by the receiver who receives the order-received commodity.

In one element of amended independent Claim 1, the processor means of the door to door parcel delivery information exchange system transmits the billing amount based on the order reception information (order placement information, see page 13 of the as-filed specification) and the delivery state information of the commodity associated with the order reception information to the receiver side terminal and the order receiver side terminal, from which the transmission request is given. As a result of both parties having the delivery state information and the billing information, the order receiver can ship the commodity before confirming payment with the receiver side terminal.

Applicant respectfully submits that Guidice fails to teach a parcel delivery information exchange system that transmits a billing amount and a delivery state information of the commodity to a receiver side terminal and a order receiver side terminal and, as a result, the order receiver can ship the commodity before confirming payment with the receiver side terminal.

Since Guidice fails to teach at least the amended element of amended Claim 1, then Guidice cannot anticipate amended Claim 1 and its dependent claims. Applicant respectfully requests withdrawal and reconsideration of the rejection of Claims 1 and 2 under 35 U.S.C. §102(e).

Claim Rejections Pursuant to 35 U.S.C. §103 (a)

Dependent Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,463,420 to Guidice et al. (Guidice). Applicant respectfully traverses the rejection.

As discussed above, the teaching of Guidice fails to include all elements of amended independent Claim 1, upon which Claim 3 depends. Accordingly, the teaching of Guidice does not form a prima facie case of obviousness of Claim 3 under 35 U.S.C. §103(a) per MPEP §2143.03 because all elements are not taught in the cited art. Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of pending Claim 3 as this claim patentably defines over the cited art.

Dependent Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,463,420 to Guidice et al. (Guidice) in view of U.S. Patent No. 6,539,360 to Kadaba. Applicant respectfully traverses the rejection.

As stated above, Guidice fails to disclose all elements of amended independent Claim 1. In addition, Applicant notes that Kadaba discloses special handling processing in a package transportation system but fails to specifically address shipment of a commodity before confirming payment of the commodity. Thus, like Guidice, Kadaba fails to teach all elements of amended Claim 1 upon which dependent Claim 4 depends.

Accordingly, the combination of Guidice and Kadaba does not form a prima facie case of obviousness under 35 U.S.C. §103(a) per MPEP §2143.03 of the amended pending claims because all elements are not taught in the combination. Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of pending Claim 4 as this claim patentably defines over the cited art.

New Claims

New dependent Claims 5 and 6 are added to further claim that which the Applicant considers his invention. Claim 5 finds support in the as-filed specification on pages 16-17. Claim 6 finds support in the as-filed specification on pages 26-27. Applicant respectfully requests examination of the newly added claims.

Conclusion

Applicant respectfully requests reconsideration of all pending claims in light of the amendments and discussion above. Applicant respectfully submits that all pending claims patentably define over the cited art.

Respectfully Submitted,

Date: September 26, 2007   /Jerome G. Schaefer/

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